

UNITED STATES DISTRICT COURT
for the
NORTHERN District of NEW YORK

United States of America

)

v.

)

) Case No. 8:20-MJ-51 (GLF)

)

Darshan PATEL

)

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of January 24, 2020 in the county of St. Lawrence in the NORTHERN District of NEW YORK, the defendant violated 8 U. S. C. § 1325(a)(2), offenses described as follows:

Darshan PATEL, an alien and citizen of India, did knowingly and unlawfully elude examination and inspection by immigration officers, as he entered the United States from Canada.

This criminal complaint is based on these facts:

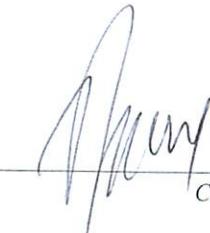
On January 24, 2020, at approximately 3:40 a.m., United States Border Patrol (USBP) Agents assigned to the Massena Station contacted Swanton Sector Dispatch and requested registration information on a New Jersey Plated Toyota Corolla after receiving a report that the Corolla was acting suspiciously. The Corolla traveled to the Akwesasne Mohawk Casino ("the Casino") on the Akwesasne Mohawk Indian Reservation, which straddles the St. Lawrence River and is located in the Northern District of New York, Quebec, Canada and Ontario, Canada. The AMIR has several unguarded roads that connect Canada and the United States. Through my training and experience, I know that smugglers are known to exploit the AMIR's location.

At approximately 4:00 a.m. on January 24, 2020, USBP agents observed an Ontario plated blue Dodge Caravan ("the Caravan") in the Casino parking lot. The Caravan did not park to enter the Casino, but instead drove through the east and west parking lots as though the driver was looking for someone or something. Agents then saw both the Corolla and the Caravan leave the parking lot. About 10 minutes later, the Corolla returned and three people got out. They walked into the casino and spent about 25 minutes inside. The three people then left the casino, got back into the Corolla, and left the parking lot.

The Corolla traveled west on State Route 37 and agents stopped it in Massena, New York. Agents requested registration information for the Corolla and learned that it is registered to Ahmed Waqas out of Jersey City, New Jersey. Agents approached the Corolla and questioned the driver and passengers as to their immigration status. The driver presented a New Jersey driver's license in the name Ahmed, Waqas. The front seat passenger was identified as Darshan Patel who admitted that he is a citizen of India and was in the United States illegally. The backseat passenger was identified as Rajanikantbhai Patel who admitted that he is a citizen of India and was in the United States illegally.

Agents transported all subjects back to the Massena Border Patrol Station for processing and investigation.

After checking Darshan Patel's fingerprints, agents confirmed that he is a citizen of India, that he does not have any valid immigration status in the United States, and he was not admitted or paroled into the United States. Agents advised Darshan Patel of his *Miranda* rights, which he waived. Darshan Patel admitted to crossing the border from Canada into the United States by boat the night before he was stopped.



Complainant's signature

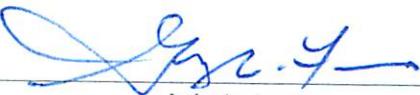
Border Patrol Agent Nicholas Jacques

Printed name and title

Sworn to before me and signed in my presence.

Date: January, 2020

City and state: Plattsburgh, New York



Judge's signature

Gary L. Favro, U.S. Magistrate Judge, N.D.N.Y.